

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

STEVEN AMES BROWN,

Plaintiff,

v.

ANDREW B. STROUD, *et al.*,

Defendants.

No. C-08-02348 JSW (DMR)

No. C-11-05822 JSW (DMR)

**ORDER DENYING FEBRUARY 22, 2013
DISCOVERY LETTER AS MOOT**

LISA SIMONE KELLY,

Plaintiff,

v.

WALLY ROKER, *et al.*,

Defendants.

On February 22, 2013, Plaintiffs Steven Ames Brown and the Estate of Nina Simone and third-party The Orchard Enterprises, Inc. ("Orchard") submitted a joint discovery letter describing their dispute regarding a subpoena served on Orchard by Plaintiff Brown. [Docket No. 512.] On February 28, 2013, the court ordered Orchard to submit a sworn declaration to the court regarding whether it has any documents responsive to the subpoena in its possession, custody or control. [Docket No. 513.] Orchard subsequently submitted a declaration dated March 7, 2013 by Alexis H.

1 Shapiro, the Senior Vice President, general counsel and secretary of Orchard Enterprises, Inc., in
2 which she states that Orchard does not have any responsive documents in its possession, custody or
3 control. [Docket No. 527.] Accordingly, Plaintiffs' request for an order compelling the production
4 of documents by Orchard is denied as moot.

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6 IT IS SO ORDERED.

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8 Dated: March 15, 2013

